



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

November 21, 2005

BEYER WEAVER & THOMAS LLP
P.O. BOX 70250
OAKLAND, CA 94612-0250
US

Dear Sir/Madam,

Your refund request for 10827120 in the amount of \$574.00 has been denied .

Small entity status fee not refundable. The time has expired for the refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for the refund of excess amount are filed within three months of timely payment of the full fee (37 CFR 1.28).

Sincerely,

ELEANOR KURTZ
Technical Center Others
703 308-9010 x177

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: George Hay

Attorney Docket No.: EZESP013

Application No.: 10/827,120

US PATENT & TRADEMARK
OFFICE

Examiner: To Be Assigned

Filed: April 15, 2004

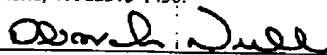
Group: 3752

Title: HIGH SOLIDS CLOSED-LOOP PRESSURE
WASHER SYSTEM

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on September 30, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed:



Deborah Neill

REQUEST FOR REFUND

ATTENTION: Refund Section, Accounting Division, Office of Finance
Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I. REFUND REQUEST

This is a request for a refund with respect to the filing fees paid by check for the above-identified patent. Copies of the Response To Notice To File Missing Parts, and Applicant's check No. 9647 in which the error referred to occurs, accompany this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

Applicant incorrectly filed the original application without claiming small entity status. Applicant is entitled to small entity status, and encloses an executed Verified Statement Claiming Small Entity Status for this application.

The Patent and Trademark Office calculated filing fees for this application believing that Applicant was a large entity. At the time Applicant filed its Response To Notice To File Missing Parts, it paid the fees requested, incorrectly paying large entity fees, when in fact Applicant was entitled to small entity status.

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Applicant now requests a refund of excess fees paid in the amount of \$574, as outlined below:

Statutory Fee	Large Entity Cost	Small Entity Cost
Basic Filing Fee	\$770	\$385
21 Claims Over 20	\$378	\$189
Total	\$1,148	\$574
Total paid in error		\$574

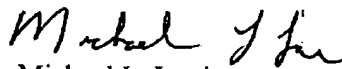
III. EXPLANATION OF WHY CONTESTED FEES ARE IN ERROR

Applicant incorrectly filed the original application without claiming small entity status. Applicant is entitled to small entity status, and encloses an executed Verified Statement Claiming Small Entity Status for this application.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 500388.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP


Michael L. Louie
Registration No. 36,988

P.O. Box 70250
Oakland, CA 94612-0250

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Applicant/Patentee: George H. Hay
 Application or Patent No. 10/827,120 Atty Docket # EZESP013
 Filed or Issued: filed on April 15, 2004

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) and 1.27(c)-SMALL BUSINESS CONCERN

I hereby declare that I am
☐ the owner of the small business concern identified below;
☒ an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: EZ Environmental Solutions Corporation
 ADDRESS: 3925 Bohannon Drive, Suite 100, Menlo Park, CA 94025

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under 41(a) and (b) of Title 35, U.S. Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: EZ Environmental Solutions Corporation by inventor George H. Hay, described in

☐ the specification filed herewith.
☒ Application No. 10/827,120 filed April 15, 2004
☐ patent # _____ issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).
 *Note: separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: N/A
 Address: _____
☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the U.S. Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Joseph G. Tobia
 TITLE IN ORGANIZATION: Chief Financial Officer

SIGNATURE  DATE 7/13/04

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/827,120	04/15/2004	George Hay	EZESP013

022434
 BEYER WEAVER & THOMAS LLP
 P.O. BOX 778
 BERKELEY, CA 94704-0778

CONFIRMATION NO. 1479

FORMALITIES LETTER



OC000000013091686

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$378** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1278** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

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- Total additional claim fee(s) for this application is \$378

- \$378 for 21 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

lcl

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

REST AVAILABLE COPY

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BEVER WEAVER & THOMAS, LLP
850 W. EL CAMINO REAL
MOUNTAIN VIEW, CA 94040
(850) 981-8800



COMERICA BANK OF CALIFORNIA
555 Main Office
333 Main Street
San Diego, CA 95112

BP-3782/1271

9647

DATE

09/14/2004

AMOUNT

\$1,278.00

PAY One thousand two hundred seventy-eight and NO/100
TO THE ORDER OF Commissioner of Patents & Trademarks
P O Box 1450
Alexandria, VA 22313-1450

09-22-04 809 0257 00
TWO SIGNATURES REQUIRED ON AMOUNTS OVER \$5,000.00
[Signature]

BRANCH OFFICE

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1890641150⑈

⑈0000127800⑈

SEP. 26. 2005 4:40PM

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NO. 438

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FOR CREDIT TO THE
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ATTENTION ATTENTION ATTENTION

Method of Refund:

☐ **ACH/EFT**

☐ **Credit Card**

☒ **Deposit Account #** 50-0388

☐ **Treasury Check**

Patent/TM/App/Serial # 10/827,120

Program Area Tech Center 3752

Date Processed 11/7/2005

ATTENTION ATTENTION ATTENTION

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